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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/728,257	12/01/2000	Chad Schoettger	P5402	3873

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EXAMINER

POLTORAK, PIOTR

ART UNIT	PAPER NUMBER
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2134

DATE MAILED: 01/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/728,257	<b>Applicant(s)</b> SCHOETTGER, CHAD	
	<b>Examiner</b> Peter Poltorak	<b>Art Unit</b> 2134	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 10 September 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-11,13,14,16,18-21,23 and 24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-11,13,14,16,18-21,23 and 24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |                                                                                                                        |                                                                                         |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                            | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____                                                |

### **DETAILED ACTION**

1. The amendment, and remarks therein, received on 9/10/2004 have been entered and carefully considered. The Amendment canceled claims 4, 12, 15, 17 and 22. The limitations of claim 4, 12 and 22 were included into the independent claims 1, 10 and 19 respectively. The amendment also added two new dependent claims that also include the new limitation or variation thereof. The newly introduced limitation has required a new search and consideration of the pending claims. The new search has resulted in newly discovered prior art. New grounds of rejection based on the newly discovered prior art in relation to claims 1 and 8 follow below.
2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

### ***Response to Amendment***

3. Applicant's arguments have been carefully considered but they were not found persuasive.
4. *Applicant points out that the embodiment of the invention is concerned with hiding the hidden or protected servers. Applicant argues that in light of Applicant's specification the cited references fail to show a tunnel mechanism modifying the response to hide the responding server from the client after access is granted through a firewall (pg. 9 last § - pg. 10 first §). The argument is drawn to the same issue on pg. 10 (§ 3 and 4), citing the claim language.*
5. The examiner respectfully disagrees with Applicant's arguments. The claim language does not reflect the intended use of invention as taught in Applicant's

specification. "Receiving a response to the access request from the computer device and modifying the response prior to transmitting the response to the external client to remove identification information for the computer device" does not limit the action to hiding the responding server from the client. Furthermore, the limitation does not define identification information for the computer device, and it is well known in the art that in computing there is always some identification information that is removed. The examiner would like to illustrate the fact by addressing layers in computer communication. Stallings (pg. 513) shows an example of a constant removal of identification information when two entities are engaged in the communication. An application requesting a file for example (e.g. HTML document), will use the application layer, which calls other layers (adding some identification information) to accomplish the task. The identification information is removed as each layer hands it's response up the chain (layer chain). The identification information can be less or more explicit as far as the computer device is concerned. For example, the IP header in TCP/IP contains source and destination address (Stallings, Fig. 16.7, pg. 544), which relates to the device's IP address (pg. 545), and TCP header will contain the source and the destination port of communicating devices (Stallings, pg. 17.4).

6. *On page 10 § 2 Applicant argues that the cited reference does not teach the response generator that determines if there are any error messages from the interfaces of the servers and by invoking appropriate objects or software application to address any error message received in response to the request.*

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7. The specification language cited by Applicant on page 10 § 2 was not found in the claim language. As a result, Applicant is arguing a limitation that does not exist in the claim. The closest limitation to Applicant's argument has been identified in claim 7, which was addressed in the Office Action.
8. *On page 11 (§ 1 –3) Applicant argues that there is no motivation to combine a firewall with Stein's teaching.*
9. The examiner respectfully disagrees. Stein teaches that firewall systems provide security to organization in order to prevent outside attacks (Stein pg. 387). Stein does not limit the protection into HTTP and secured HTML (for example) and thus it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement a firewall as taught by Stein. One of ordinary skill in the art would have been motivated to perform such a modification in order to prevent network attacks (Stein pg. 387). As a result Applicant's suggestion that claims 2, 3 and 5-9 dependent on claim 1 are believed allowable at least for the reasons for allowing claim 1 is rejected. Applicant's arguments in respect to claims 16 and 18 (pg. 12 § 3) is similarly not persuasive.
10. *Applicant argues on pg. 12 (§ 2) that the rejection of claim 12 should be withdrawn based on the fact that Luckenbaugh et al. do not teach that identification information includes URL information for the internal device and the response modifying includes replacing the internal URL information with URL information for the tunnel mechanism.*

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11. The examiner refers to col. 8 lines 17-20 where Lackenbaugh et al. teach identification information including URL information for the internal device.  
Furthermore, Lackenbaugh et al. teach that if no cookie is found in the request no internal URL information is sent but rather the information about URL intended for the tunnel mechanism, specifically the information about an anomalous condition is transmitted (Lackenbaugh et al. col. 9 lines 21-32). As a result, Applicant's suggestion that claims 11, 13 and 14 dependent on claim 10 are believed allowable as depending from an allowable base claim is not persuasive.
12. *Applicant argues (last § pg. 12 – first last § pg. 13) that claims 19-21 should be allowable for the reasons provided for allowing claim 1 and for no teaching of computer readable program code devices to cause a computer to “translate error message in the received response, to take response actions to the error messages, and to include unresolved ones of the translated error messages in the modified response”. Furthermore Applicant argues that identifying an error message in a “response” and taking corrective responses is not found in the references.*
13. The examiner does not find “taking corrective responses” in the claim language (claims 19-21) and as a result the examiner only addresses the claim limitation: “computer readable program code devices configured to cause a computer to translate error messages in the received response, to take response actions to the error messages, and to include unresolved ones of the translated error messages in the modified response”.

Lackenbaugh et al. do not teach resolving an error (anomalous condition) but do teach that upon determining the error translation is made (an HTML page reporting an anomalous condition is built) and the error message is transmitted to the client/browser (col. 9 lines 20-32). It is implicit that computer readable program code devices on the client site would take response actions and translate the electronic error message in order for the message to be displayed for the user.

Applicant also argues that "the cited reference fail to teach or suggest every element of claim 19". However, the applicant does not provide any specifics besides the arguments as discussed above (§ 12, above).

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

14. Claims 23-24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
15. Claim 23 is dependent on independent claim 1, and recites: "invoking the tunnel mechanism for the access request receiving with the external client". However, claim 1 talks about "the tunnel mechanism being in communication with the host and the computer device" and "receiving with the tunnel mechanism an access request to the computer device from the external client". The claim is not clear. The limitations in claim 23 suggest that the tunnel mechanism is hosted in the external client, which is not suggested by claim 1.

16. Claim 24 is rejected by virtue of its dependence.

Appropriate correction is required.

***Claim Rejections - 35 USC § 103***

17. The amended claims 1-3, 5-7, 9-11, 13-14, 16, 18-21 and 23-24 are newly rejected under 35 U.S.C. 103(a) as being unpatentable over Luckenbaugh et al. (U.S. Patent No. 6311269) in view of Stein (Lincoln D. Stein, "Web Security, "A step-by-step reference Guide, ISBN 0-201-63489-9, 1998) and in further view of *Grammatis* (Yannies *Grammatis*, "Firewall Port Security", <http://www.chaminade.org/MIS/Articles/FirewallPortSecurity.htm>).

The amended claim 1 added a new limitation: "the access request passing through a port in the firewall prior to the receiving with the tunnel mechanism" is implicit. All TCP/IP traffic passing through ports in the firewalls.

Furthermore, *Grammatis* in the article "Firewall Port Security" explicitly teaches the importance of securing TCP/IP using firewall ports.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to pass the access request through a port in the firewall prior to the receiving with the tunnel mechanism. One of ordinary skill in the art would have been motivated to perform such a modification in order to restrict external attacks (*Grammatis*, last two §).

The limitations of claim 23 and 24 are implicit. The tunnel mechanism actions are a result of the external client requesting a particular URL.



The rejection of claims 2-3, 5-7, 9-11, 13-14, 16, 18-21 can be found in a prior Office Action.

18. The amended claim 8 is newly rejected under 35 U.S.C. 103(a) as being unpatentable over Luckenbaugh et al. (U.S. Patent No. 6311269) in view of Stein (Lincoln D. Stein, "Web Security, "A step-by-step reference Guide, ISBN 0-201-63489-9, 1998) and *Grammatis* (Yannies Grammatis, "Firewall Port Security", <http://www.chaminade.org/MIS/Articles/FirewallPortSecurity.htm>) and in further view of Berstis et al. (U.S. Patent No. 6092100).

Luckenbaugh et al. in view of Stein teach a method for providing an external client with access to a computer device as discussed above.

Luckenbaugh et al. in view of Stein do not explicitly teach examining the response for an error message, translating the error message, and taking corrective actions to remove the error message from the response from the computer device.

Berstis et al. teach examining the response for an error message, translating the error message, and taking corrective actions to remove the error message from the response from the computer device (*Berstis et al. col. 2 lines 43-47*).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement examining the response for an error message, translating the error message, and taking corrective actions to remove the error message from the response from the computer device as taught by *Berstis et al.* One of ordinary skill in the art would have been motivated to perform such a modification in order to intelligently resolve an incorrect URL requests (*Berstis et al. col. 1 lines 64-66*).

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter Poltorak whose telephone number is (571)272-3840. The examiner can normally be reached Monday through Thursday from 9:00 a.m. to 4:00 p.m. and alternate Fridays from 9:00 a.m. to 3:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse can be reached on (571)272-3838. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Signature  
  
12/13/04  
Date

